

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

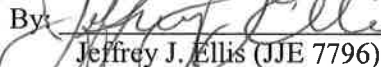
-----X  
: 21 MC 101 (AKH)  
:  
IN RE SEPTEMBER 11 LITIGATION : This Document Relates to:  
: ***Bavis v. United Air Lines, Inc.***  
: (02-CV-7154)  
-----X

**DEFENDANTS NOTICE OF MOTION FOR SUMMARY JUDGMENT**

***PLEASE TAKE NOTICE***, that defendants United Air Lines, Inc. and United Continental Holdings, Inc., (f/k/a UAL Corp.) (“United”) and Huntleigh USA Corporation (“Huntleigh”) will move this court, before the Honorable Alvin K. Hellerstein, United States District Judge, at a date and time to be set by the Court, for an Order pursuant to Federal Rule of Civil Procedure 56 granting defendants summary judgment dismissing the claims against them asserted in *Bavis v. United Air Lines, Inc.* 02 Civ. 7154 (AKH). Pursuant to this Court’s Individual Rule 2(b), we have attached hereto a table of contents for defendants’ motion.

Dated: New York, New York  
August 26, 2011

Respectfully submitted,  
QUIRK AND BAKALOR, P.C.

By:   
Jeffrey J. Ellis (JJE 7796)

A Member of the Firm  
845 Third Avenue, 15<sup>th</sup> Floor  
New York, New York 10022  
Telephone: (212) 319-1000  
Facsimile: (212) 319-1065

and

MAYER, BROWN, LLP  
71 South Wacker Drive  
Chicago, Illinois 60606  
Telephone: (312) 701-7065  
Facsimile: (312) 706-8623

*Attorneys for Defendants  
UNITED AIR LINES, INC. and  
UNITED CONTINENTAL  
HOLDINGS, INC., (f/k/a  
UAL CORP.)*

-and-

Edwin W. Green, Esq.  
Couyssels  
82150 Roquecor  
France  
Phone: (33) 563 95 21  
E-mail: ed.green@la-taupe.net

- and -

Jonathan J. Ross  
SUSMAN GODFREY, LLP  
1000 Louisiana Street, Suite 5100  
Houston, Texas 77002  
Telephone: (713) 651-9366  
Facsimile: (713) 654-6666

*Counsel for HUNTLEIGH USA  
CORPORATION*

<b>TABLE OF CONTENTS PURSUANT TO RULE 2(b)</b>	
<b>Document</b>	<b>Description</b>
Defendants' Notice of Motion for Summary Judgment	
Defendants' Statement of Undisputed Material Facts Pursuant to Local Rule 56.1	
Memorandum of Law in Support of Defendants' Motion for Summary Judgment	
Declaration of Jeffrey J. Ellis, Esq. in Support of Defendants Motion for Summary Judgment	
EXHIBIT "A"	Portions of United's FAA approved Air Carrier Standard Security Plan ("ACSSP") (Redacted and re-released on July 11, 2011) <sup>1</sup>
EXHIBIT "B"	Indictment in <i>United States v. Khalid Sheikh Mohammed, et. al.</i> , (S14) 93 Cr. 180 (KTD)
EXHIBIT "C"	Portions of <i>The 9/11 Report Commission Report</i>
EXHIBIT "D"	Pages from the Deposition Transcript of Claudio Manno , Director of FAA Office of Civil Aviation Intelligence on September 11, 2001(Redacted for SSI and Re-Released on July 7, 2011)
EXHIBIT "E"	Pages from the Deposition Transcript of Robert J. Cammaroto, Chief FAA Commercial Airports Policy Division on September 11, 2001 (Released in Full on June 22, 2011)
EXHIBIT "F"	Deposition Exhibit 771, FAA's Evaluation of 4" Knife Rule in 1993
EXHIBIT "G"	Pages from the Deposition Transcript of Lyle Malotkey, Ph.D., FAA Scientific Advisor for Aviation Security on September 11, 2001 (Redacted for SSI and Re-Released on July 8, 2011)
EXHIBIT "H"	Former SSI Exhibit 55, Walk Through Metal Detectors, (Released in Full on July 13, 2011)
EXHIBIT "I"	Pages from the Deposition Transcript of Denise Roussin, FAA Civil Aviation Security Specialist on September 11, 2001 (Redacted for SSI and Re-Released on July 8, 2011)
EXHIBIT "J"	Pages from the Deposition Transcript of David Peterson Deposition, FAA Civil Aviation Security Specialist on September 11, 2001. (Redacted for SSI and Re-Released on July 11, 2011)
EXHIBIT "K"	United Air Lines Air Carrier Certificate
EXHIBIT "L"	Pages from the Trial Testimony of Robert J. Cammaroto in <i>U.S. v. Moussaoui</i> , U.S.D.C., Eastern District of Virginia, Docket No. 01CR455
EXHIBIT "M"	Pages from The 9/11 Commission Staff Monograph

<sup>1</sup> TSA re-reviewed requested documents and deposition transcripts which have been released on a rolling basis.

<b>TABLE OF CONTENTS PURSUANT TO RULE 2(b)</b>	
<b><u>Document</u></b>	<b><u>Description</u></b>
	on the Four Flights
EXHIBIT "N"	Secretary Kip Hawley's Statement to The Senate Committee on Commerce, Science and Transportation, December 12, 2005
EXHIBIT "O"	FAA Civil Aviation Security Passenger Information Sheet
EXHIBIT "P"	Pages from FBI "Guide to Concealable Weapons" (2003)
EXHIBIT "Q"	"Study and Report to Congress on Civil Aviation Sec. Responsibilities and Funding", Dep't. of Transportation & Fed. Aviation Admin.
EXHIBIT "R"	Pages from the Deposition Transcript of Michael Morse , FAA Special Assistant, reporting to Director of Civil Aviation Security Operations on September 11, 2001 (Redacted for SSI and Re-Released on July 7, 2011)
EXHIBIT "S"	NTSB Flt 11 Report
EXHIBIT "T"	NTSB Flt. 175 Report
EXHIBIT "U"	NTSB Flt. 93 Report
EXHIBIT "V"	Former SSI 18, FAA Memo Knives of Sharp Objects (Released in Full on June, 22, 2011)
EXHIBIT "W"	Press Releases, <i>Decline in Airline Passenger in 2001 Ends 10 Year Growth</i>
EXHIBIT "X"	Pages from the Deposition Transcript of United Air Lines Customer Service Representative (Redacted for SSI and Re-Released on July 7, 2011)
EXHIBIT "Y"	Deposition Exhibit 443, United Flight 175 ACI Report (UAL001773-1822)
EXHIBIT "Z"	Pages from the Deposition Transcript of United Air Lines Customer Service Representative
EXHIBIT "AA"	Pages from United Flight 175 Bag History (UAL027940-941, portion of Deposition Exhibit 442)
EXHIBIT "BB"	Pages from 9/11 and Terrorist Travel, Staff Report of the National Commission on Terrorist attacks upon the United States
EXHIBIT "CC"	Pages from the Deposition Transcript of United Air Lines Customer Service Manager at Logan on September 11, 2001 (Released in Full on June 22, 2011)
EXHIBIT "DD"	United/Huntleigh Contract at Logan
EXHIBIT "EE"	Huntleigh Security Report/Control Logs for 8/28/01-8/29/01 (HUSA003452-3445)
EXHIBIT "FF"	FBI Interview Statement of DiGirolamo (FBI130)
EXHIBIT "GG"	Pages from the Deposition Transcript of Francesco DiGirolamo, Huntleigh Duty Manager on September 11, 2001 and HUSA 3562; 3312
EXHIBIT "HH"	Deposition Exhibits 239 and 140, Huntleigh Shift

<b>TABLE OF CONTENTS PURSUANT TO RULE 2(b)</b>	
<b><u>Document</u></b>	<b><u>Description</u></b>
	Sign In Sheets
EXHIBIT "II"	Pages from the Deposition Transcript of William Thomas, Huntleigh CSS on September 11, 2001
EXHIBIT "JJ"	Huntleigh Checkpoint Test Results (HUSA4351)
EXHIBIT "KK"	Pages of Redacted SSI Exhibit 1 (TSA7851-7842), FAA Report on Equipment at United/Huntleigh Checkpoint on September 11, 2001, (Re-reviewed July 11, 2011)
EXHIBIT "LL"	Deposition Exhibit 137, Huntleigh Security Report Control Log for 9/11/01
EXHIBIT "MM"	Huntleigh Detection Log (HUSA003489-003494)
EXHIBIT "NN"	Pages from the Deposition Transcript of Rohan Gunaratna
EXHIBIT "OO"	Pages from the Deposition Transcript of Claudia Richey, Huntleigh Pre-Board Screener on September 11, 2001
EXHIBIT "PP"	Deposition Exhibit 894, Statement of United *Fix Maintenance Employee; Pages from the Deposition Transcript of United *Fix Maintenance Employee
EXHIBIT "QQ"	FBI Statement of Lee Hanson (FBI 0208-0210)
EXHIBIT "RR"	FBI e-mail to the 9/11 Commission Staff (obtained from National Achieves, 9/11 Commission Records)
EXHIBIT "SS"	Deposition Exhibit 25; Deposition Exhibit 330B; Deposition Exhibit 452, Receipts of Knife Purchases
EXHIBIT "TT"	FBI23709; FBI23870; FBI23959; FBI24964; FBI23399; FBI24264, Photographs of Items Recovered by the FBI
EXHIBIT "UU"	FBI23473; FBI23470, Photographs of Items Recovered in Atta Luggage
EXHIBIT "VV"	Photos of Exemplars of Purchased Knives and Deposition Testimony [Deposition Exhibit 31 (photograph of exemplar of Stanley Quik Knife); portions of deposition of Stephen Gemmell for the Stanely Works; photograph of an exemplar Clip Hanger Viper knife (previously marked as Deposition Exhibit 18); photograph of exemplar Imperial Tradesman Dual Edge knife (previously marked as Deposition Exhibit 25); a photograph of an exemplar Leatherman Wave Multi-Tool (previously marked as Deposition Exhibit 24); portions of deposition of Roger Bjorklund for Leatherman Tool Group]
EXHIBIT "WW"	Joint Fact Narrative, Agreed Upon by Parties, and Acknowledged By the Court on March 15, 2011 (Bavis Docket Doc. No. 137)

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

21 MC 101 (AKH)  
Index No. Year

IN RE SEPTEMBER 11 LITIGATION

THIS DOCUMENT RELATES  
TO: 02 CV 7154 (AKH)

**DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT**

**QUIRK AND BAKALOR, P.C.**

*Attorney(s) for* UNITED AIR LINES, INC. and UNITED CONTINENTAL HOLDINGS, INC. (f/k/a UAL CORP.)

*Office and Post Office Address, Telephone*

845 Third Avenue  
NEW YORK, NEW YORK 10022  
(212) 319-1000

To

Signature (Rule 130-1.1-a)

Print name beneath

Service of a copy of the within is hereby admitted.

Attorney(s) for

Dated: \_\_\_\_\_

**PLEASE TAKE NOTICE:**

☐ NOTICE OF ENTRY

that the within is a (*certified*) true copy of a  
duly entered in the office of the clerk of the within named court on

☐ NOTICE OF SETTLEMENT

that an order  
will be presented for settlement to the HON.  
within named Court, at  
on at M.

of which the within is a true copy  
one of the judges of the

Dated,

Yours, etc.

**QUIRK AND BAKALOR, P.C.**